

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PABLO STAR LTD.; PABLO STAR MEDIA
LTD.,

Plaintiffs,

v.

THE WELSH GOVERNMENT; VISIT WALES;
TRIBUNE CONTENT AGENCY, LLC;
PITTSBURGH POST-GAZETTE; E.W.
SCRIPPS, CO.; JOURNAL MEDIA GROUP,
INC.; TREASURE COAST NEWSPAPERS;
COLORADO NEWS FEED; TRAVEL SQUIRE;
RICHMOND TIMES DISPATCH; and MIAMI
HERALD MEDIA CO.,

Defendants.

Case No. 15-cv-1167 (JPO)

Hon. J. Paul Oetken

ECF Case
Electronically Filed

DECLARATION OF NATHANIEL A. KLEINMAN

I, Nathaniel A. Kleinman, an attorney duly admitted to practice before this Court, do hereby declare under penalty of perjury as prescribed in 28 U.S.C. § 1746, as follows:

1. I am one of the attorneys for Plaintiffs in this action. I have personal knowledge of the facts contained in this declaration and am competent to testify to them.
2. Attached hereto as Exhibit 1 is a true and correct copy of a pdf of a panel from “The Welsh in America” exhibition produced by the Welsh Government in America agency.
3. Attached hereto as Exhibit 2 is a true and correct copy of a pdf photo of “The Welsh in America” exhibition in Alberta, Canada.
4. Plaintiffs’ counsel has sought the services of a professional, specialized foreign process server and can/will immediately effectuate service of the Amended Complaint and summons on the Welsh Government as required under the Hague Convention should the Court grant reconsideration and reverse its venue ruling.

I hereby declare, under penalty of perjury, that the foregoing is true and correct.

Dated: New York, New York
March 30, 2016

By: 
Nathaniel A. Kleinman

EXHIBIT 1





The Welsh in America



The Welsh in America

9. Some Welsh-Americans in History

Elihu Yale
 (1648 – 1721)

was the grandson of David Yale, one of the Pilgrim Fathers who sailed to America. Elihu Yale made a fortune with the East India Company.

Yale University Was founded in 1701 as the Collegiate School in Killingworth, Connecticut. In 1716 the school moved to New Haven, and Elihu Yale donated nine bales of goods, 417 books and a portrait and arms of King George I to the school, thus allowing it to continue. In gratitude to Elihu, the school was renamed Yale College in 1718.



(Credit: 1)

Francis Lewis
 (1713 – 1802)

was born in Llandaf, Wales. He made a career representing American mercantile houses in Europe, Africa and Russia. In 1765, he moved to Whitestone, Queens and became active in the affairs of the city and the nation. He was one of four delegates from New York State who signed the Declaration of Independence in 1776. He became a Vestryman of St. George Church, Flushing, and Grace Church, Whitestone — both in the Borough of Queens — where his life and work are commemorated in Francis Lewis Boulevard, Francis Lewis High School, and Francis Lewis Park. Francis Lewis died in relative poverty, having given most of his money to support George Washington and the American Revolution.



(Credit: 2)

John Pierpont Morgan
 (1837 – 1913)

had Welsh ancestors who established the Massachusetts colony in the early 17th century. After the Civil War, J. P. Morgan built his father's firm into the biggest banking company in the USA. His bank financed the blossoming railroad system and, in 1901, he set up the US Steel Corporation, followed in 1902, by International Harvester. Morgan's control over American and public financing was and still is without equal. The exquisite Morgan Library in New York City was once home to this illustrious family.



(Credit: 3)

Frank Lloyd Wright
 (1867– 1959)

whose mother, Anna Lloyd-Jones, came from a long line of Welsh Methodists, was brought up in Wisconsin by his Welsh grandparents in what was known as 'the Valley of the God Almighty Joneses.' Frank Lloyd Wright frequently referred to the Welsh motto 'Y Gwir yn Erbyn y Byd' ('The Truth Against the World'), and he used a Welsh bardic three-pronged symbol on many of his buildings and other work. He also named his houses and academies after the great Welsh poet of the Dark Ages, Taliesin.



(Credit: 4)

DID YOU KNOW?

A Dylan Thomas Walking Tour of Greenwich Village, New York can be downloaded from the Internet as a printed document or an audio file for your MP3 player. Visit www.DylanThomasWalkingTour.com

Dylan Thomas and Ceryn
 Copyright © 2011 Dylan Thomas Bookstore



Wales
 Cymru



The Guggenheim Museum in New York was designed by Frank Lloyd Wright.



Welsh in America – Exhibition Loan Form

A 14-panel exhibition on the history of the Welsh in America is available for loan at no charge from the Welsh Assembly Government in New York. Applicants should first satisfy the Welsh Assembly Government about their ability to provide a suitable, well-lit public venue with a decent footfall and proper security provisions. Loan of the exhibition will also be subject to availability at the time of booking. Please be so kind to fill in this form with as much useful information as possible and return it to the attention of Catrin Brace at the Welsh Assembly Government, Wales International Center, Chrysler Building, 405 Lexington Avenue Floor 21, New York, NY 10174, fax 646 792 8940 or by email catrin.brace@wales-uk.com.

Contact Information

Name	
Organization	
Street Address	
City ST ZIP Code	
Phone	
E-Mail Address	

Please tell us more about where you propose to exhibit the Welsh in America (ideally you will need around 25 sq ft to house the exhibition properly)

Venue	
Venue Address	
City ST ZIP Code	
Contact at Venue	
Venue Phone	
Venue E-Mail Address	
Dimensions of Venue (Please include Height/Length/Width)	

Is the venue open to the public?

☐ Yes

☐ No

If Yes please indicate dates and times it is open to the public (if No please give your reasons why you think it could work in a private area)

.....

.....

What dates would you like to have the exhibition – including relevant month and year (ideally should be 3-6 weeks)?

.....

.....

What lighting is used in the venue you wish to use for the exhibition?

.....

How many people are likely to visit the exhibition?

.....

What is the likely profile of the people who will visit the exhibition?

.....

What are the security provisions at the venue that guarantee security of the exhibition at all times?

.....

Does the venue have public liability insurance and will the exhibition be covered for any damage incurred while in situ?

The Welsh Assembly Government will pay for round-trip shipping of the exhibition. Can the venue receive UPS/Fed-Ex deliveries and will you be able to repack the exhibition and ship them back to us at our cost?

____ Yes

_____ No

The Welsh Assembly Government will ship 'Welsh in America' booklets to you to accompany the exhibition and which can be distributed free of charge to visitors to the exhibition. Will you provide a table or other display methods for the booklets?

_____ yes

 No

Please use the box below to provide any further helpful information

--

Agreement and Signature

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if this application for the exhibition of the Welsh in America is accepted, any false statements, omissions, or other misrepresentations made by me on this application may result in the loss of use of the exhibition.

Name (printed)	
Signature	
Date	

Thank you for completing this application form. Diolch yn fawr.

The Welsh in America exhibition

Assembly instructions

IMPORTANT!! Please read these instructions before assembly.

The system is very easy to assemble but if you don't put the poles together in the right way then they can fall down and this usually breaks the toggle on the top – making it impossible to re-assemble if you don't have a spare toggle. Here are the few easy steps. It's best to have two people to put the stands up and you will need steps or a chair (or a very tall person). It is best to assemble them as close as possible to where they will be in the exhibition so as to avoid unnecessary moving:

1. Take the case out of the box and keep the exterior box for shipping back to the Welsh Assembly Government at the end of the exhibition.
2. Open the case and take out the stand. In the little pocket inside the case you will also find the toggle for the top of the poles.
3. Take the plastic end off the stand, turn over and take the pole out. Replace the plastic end and turn back upright.
4. Here's the difficult bit – pull out the poles to their fullest and screw them in the correct direction (as indicated on the joints in the poles) until you are absolutely certain they will hold. Just keep turning them until they click tight.
5. Put the extended pole into the hole in the stand. Fit the toggle into the top of the pole.
6. This is where you need the second person to GENTLY pull up the panels and hand them to the person holding the pole to fit them into the toggle at the top. There are two panels in each stand. Pull them up one by one while the other person holds the pole and hooks them on.

7. The panels need to be balanced so there are as few creases as possible in the panels. You can adjust them at any time by just moving the toggle slightly.
8. The stands can be moved after you assemble them by GENTLY pulling the base over. Do not drag them by holding the panels.
9. The panels are numbered 1 through 12 and you should exhibit them in order. Please leave enough space for people to go around the back of the stand to read the reverse panel.
10. Please be so kind as to take some good quality photos of the exhibition and email them to Catrin Brace at the Welsh Assembly Government (details below).
11. At the end of the exhibition, please reverse this process and make sure that you put the poles back under the base, the plastic end on the base, the toggle in the bag, and the bag back in the case.
12. Please pack the cases back in the boxes they arrived in and seal securely with strong tape. Contact Catrin Brace for pick-up instructions.

Any problems or queries, please email or call Catrin Brace at the Welsh Assembly Government in New York 917 957 0770 or catrin.brace@wales-uk.com.

Thank you for helping the Welsh Assembly Government promote Wales in your area. Diolch yn fawr.

EXHIBIT 2

Welsh in America Americans in History

John Pierpont Morgan (1837 - 1913)
had Welsh ancestry who established the Morgan family's gallery in the early 17th century. After the Civil War, J.P. Morgan built his father's firm into the biggest banking company in the USA. His bank financed the blossoming railroad system and, in 1901, he set up the US Steel Corporation. Followed in 1902 by International Harvester Morgan's control over American and public financing was, and still is, without equal. The exquisite Morgan Library in New York City was once home to the Blackstock family.

Frank Lloyd Wright (1867 - 1959)
whose mother, Anna Lloyd Jones, came from a long line of Welsh Methodists, was brought up in Wisconsin by his Welsh grandparents in what was known as 'the Valley of the God Almighty Joneses.' Frank Lloyd

The Welsh in America 3. Going West

LEWIS AND CLARK

Thomas Jefferson sent his Welsh private secretary Meriwether Lewis and William Clark to explore the uncharted territories west of the Mississippi. They used the map



Thomas Jefferson
(1743-1826)

of the young Welsh explorer John Evans. The Lewis and Clark expedition changed world power by opening up the interior of the continent to exploration and colonization by the USA.

THE CALIFORNIA GOLD RUSH

In 1849, after the discovery of gold in California by James W. Wicks, thousands of Welsh people with mining in their blood joined the

Gold Rush. Hundreds of thousands of hopeful pioneers flooded into the area and the output of gold rose from \$5 million to \$55 million in three years.

COLORADO GOLD

By 1859, 'Gregory Gulch' was known as 'the richest square mile in the world' and Welsh prospectors came from Dodgeville and Cambria in Wisconsin over the Great Plains to this area of Colorado.



Before the railroad was built in 1870, they came in ox-driven covered wagons and the journey took seven months. The final 8-mile journey up the valley to Central City required crossing the river fifty-eight



COMMERCE

Pryce Jones Department Store

On Valentine's Day in 1911, Pryce Jones Department store opened in Calgary. The store was a Canadian branch of the famous mail-order company in Newtown, North Wales owned by mail order pioneer Pryce Pryce Jones. His son, Albert ran the store. It employed 100 staff and serviced over 60,000 customers in Alberta, BC, and Saskatchewan. Many of the employees were of Welsh origin with several coming from Newtown, North Wales.

Eventually competition with the Hudson's Bay Company forced the store to close its doors.

Robert Cadogan Thomas (1862-1950)

Another key figure in the early development of Calgary was Robert Cadogan Thomas. He arrived in Canada in 1883 from Wales.

After horsestealing he moved to Calgary and bought the corner of 8th Avenue and 2nd Street S.W., where he built a livery business. Later he branched into development. Among his many buildings were the Cadogan Building, The Wales Hotel and The Royal Hotel; these buildings were eventually destroyed.

The Pryce Jones Department Store on the corner of 12th Avenue and 1st Street S.W., Calgary, Canada, 1911.



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